

CHAPTER 102
CONTINUING EDUCATION FOR FUNERAL DIRECTORS

645—102.1(272C) Definitions. For the purpose of these rules, the following definitions shall apply:
“*Active license*” means the license of a person who is acting, practicing, functioning, and working in compliance with license requirements.

“*Administrator*” means the administrator of the board of mortuary science examiners.

“*Approved program/activity*” means a continuing education program/activity meeting the standards set forth in these rules, which has received advance approval by the board pursuant to these rules.

“*Approved sponsor*” means a person or an organization sponsoring continuing education activities, that has been approved by the board as a sponsor pursuant to these rules. During the time an organization, educational institution, or person is an approved sponsor, all continuing education activities of such organization, educational institution, or person may be deemed automatically approved.

“*Audit*” means the selection of licensees for verification of satisfactory completion of continuing education requirements during a specified time period or the selection of providers for verification of adherence to continuing education provider requirements during a specified time period.

“*Board*” means the board of mortuary science examiners.

“*Continuing education*” means planned, organized learning acts designed to maintain, improve, or expand a licensee’s knowledge and skills in order for the licensee to develop new knowledge and skills relevant to the enhancement of practice, education, or theory development to improve the safety and welfare of the public.

“*Direct supervision*” means under the direction and immediate supervision of a licensed funeral director.

“*Full-time*” means a minimum of a 35-hour work week.

“*Hour of continuing education*” means a clock hour spent by a licensee in actual attendance at and completion of an approved continuing education activity.

“*Inactive license*” means the license of a person who is not in practice in the state of Iowa.

“*Lapsed license*” means a license that a person has failed to renew as required, or the license of a person who failed to meet stated obligations within a stated time.

“*License*” means license to practice.

“*Licensee*” means any person licensed to practice as a funeral director in the state of Iowa.

645—102.2(272C) Continuing education requirements.

102.2(1) The biennial continuing education compliance period shall extend for a two-year period beginning on the fifteenth day of the licensee’s birth month and ending on the fifteenth day of the licensee’s birth month. Each biennium, each person who is licensed to practice as a licensee in this state shall be required to complete a minimum of 24 hours of continuing education approved by the board.

102.2(2) Requirements of new licensees. Those persons licensed for the first time shall not be required to complete continuing education as a prerequisite for the first renewal of their licenses. Continuing education hours acquired anytime from the initial licensing until the second license renewal may be used. The new licensee will be required to complete a minimum of 24 hours of continuing education per biennium for each subsequent license renewal.

102.2(3) Hours of continuing education credit may be obtained by attending and participating in a continuing education activity. These hours must meet the requirements herein pursuant to statutory provisions and the rules that implement them.

102.2(4) No hours of continuing education shall be carried over into the next biennium except as stated for the second renewal.

102.2(5) It is the responsibility of each licensee to finance the cost of continuing education.

645—102.3(272C) Standards for approval.

102.3(1) General criteria. A continuing education activity which meets all of the following criteria is appropriate for continuing education credit if it is determined by the board that the continuing education activity:

- a. Constitutes an organized program of learning which contributes directly to the professional competency of the licensee;
- b. Pertains to subject matters which integrally relate to the practice of the profession;
- c. Is conducted by individuals who have specialized education, training and experience by reason of which said individuals should be considered qualified concerning the subject matter of the program. The application must be accompanied by a paper, manual or outline which substantively pertains to the subject matter of the program and reflects program schedule, goals and objectives. The board may request the qualifications of presenters.
- d. Fulfills stated program goals, objectives, or both; and
- e. Provides proof of attendance to licensees in attendance including:
 - (1) Date(s), location, course title, presenter(s);
 - (2) Number of program contact hours (One contact hour equals one hour of continuing education credit.); and
 - (3) Official signature or verification by program sponsor.

102.3(2) Specific criteria.

- a. The following categories of continuing education are accepted:
 - (1) Public health and technical: chemistry, microbiology and public health, anatomy, pathology, restorative art, arterial and cavity embalming.
 - (2) Business management: accounting, funeral home management and merchandising, computer application, funeral directing, and small business management.
 - (3) Social sciences/humanities: psychology of grief, counseling, sociology of funeral service, history of funeral service, communication skills, and philosophy.
 - (4) Legal, ethical, regulatory: mortuary law; business law; ethics; Federal Trade Commission, OSHA, ADA, and EPA regulations; preneed regulation; social services; veterans affairs benefits; insurance; state and county benefits; legislative concerns.
- b. Academic coursework that meets the criteria set forth in the rule is accepted. Continuing education credit equivalents are as follows:
 - 1 academic semester hour = 10 continuing education hours
 - 1 academic trimester hour = 8 continuing education hours
 - 1 academic quarter hour = 7 continuing education hoursA course description and an official school transcript indicating successful completion of the course must be provided by the licensee to receive credit for an academic course if continuing education is audited.
- c. Attendance at or participation in a program or course which is offered or sponsored by an approved continuing education sponsor.
- d. Self-study, including television viewing, Internet, video- or sound-recorded programs, or correspondence work, or by other similar means as authorized by the board. Self-study credits must be accompanied by a certificate from the sponsoring organization that indicates successful completion of the test.
- e. Presentations of a structured continuing education program or a college course that meets the criteria established in standards for approval may receive 1.5 times the number of hours granted the attendees. These hours shall be granted only once per biennium for identical presentations.

645—102.4(272C) Approval of sponsors, programs, and activities on continuing education.

102.4(1) *Approval of sponsors.* An applicant who desires approval as a sponsor of courses, programs, or other continuing education activities shall, unless exempted elsewhere in these rules, apply for approval to the board on the form designated by the board stating the applicant's educational history for the preceding two years or proposed plan for the next two years.

a. The form shall include:

- (1) Date(s), location, course title(s) offered and outline of content;
- (2) Total hours of instruction to be presented;
- (3) Names and qualifications of instructors including résumés or vitae; and
- (4) Evaluation form(s).

b. Records shall be retained by the sponsor for four years.

c. Attendance record report. The person or organization sponsoring an approved continuing education activity shall provide a certificate of attendance to the licensee providing the following information:

- (1) Program date(s);
- (2) Course title and presenter;
- (3) Location;
- (4) Number of clock hours attended and continuing education hours earned;
- (5) Name of sponsor and sponsor number (if applicable);
- (6) Licensee's name; and
- (7) Method of presentation.

d. All approved sponsors shall maintain a copy of the following:

- (1) The continuing education activity;
- (2) List of enrolled licensees' names and license numbers; and
- (3) Number of continuing education clock hours awarded for a minimum of four years from the date of the continuing education activity.

e. The sponsor shall submit a report of all continuing education programs conducted in the previous year during the assigned month for reporting designated by the board. The report shall include:

- (1) Date(s), location, course title(s) offered and outline of content;
- (2) Total hours of instruction presented;
- (3) Names and qualifications of instructors including résumés or vitae;
- (4) Evaluation form(s); and
- (5) A summary of the evaluations completed by the licensees.

102.4(2) *Prior approval of programs/activities.* An organization or person other than an approved sponsor that desires prior approval of a course, program or other education activity or that desires to establish approval of such activity prior to attendance shall apply for approval to the board on a form provided by the board at least 60 days in advance of the commencement of the activity. The board shall approve or deny such application in writing within 30 days of receipt of such application. The application shall state:

- a.* The date(s);
- b.* Course(s) offered;
- c.* Course outline;
- d.* Total hours of instruction; and
- e.* Names and qualifications of speakers and other pertinent information.

The organization or person shall be notified of approval or denial by ordinary mail.

102.4(3) *Review of programs.* Continuing education programs/activities shall be reported every year at the designated time as assigned by the board. Written notice of sponsor status will be sent by the board. The board may at any time reevaluate an approved sponsor. If, after reevaluation, the board finds there is cause for revocation of the approval of an approved sponsor, the board shall give notice of the revocation to that sponsor by certified mail. The sponsor shall have the right to hearing regarding the revocation. The request for hearing must be sent within 20 days after the receipt of the notice of revocation. The hearing shall be held within 90 days after the receipt of the request for hearing. The board shall give notice by certified mail to the sponsor of the date set for the hearing at least 30 days prior to the hearing. The board shall conduct the hearing in compliance with rule 645—11.9(17A).

102.4(4) *Postapproval of activities.* A licensee seeking credit for attendance and participation in an educational activity which was not conducted by an approved sponsor or otherwise approved shall submit to the board, within 60 days after completion of such activity, the following:

- a. The date(s);
- b. Course(s) offered;
- c. Course outline;
- d. Total hours of instruction and credit hours requested;
- e. Names and qualifications of speakers and other pertinent information;
- f. Request for credit which includes a brief summary of the activity; and
- g. Certificate of attendance or verification.

Within 90 days after receipt of such application, the board shall advise the licensee in writing by ordinary mail whether the activity is approved and the number of hours allowed. A licensee not complying with the requirements of this subrule may be denied credit for such activity.

102.4(5) *Voluntary relinquishment.* The approved sponsor may voluntarily relinquish sponsorship by notifying the board office in writing.

645—102.5(272C) Reporting continuing education by licensee. At the time of license renewal, each licensee shall be required to submit a report on continuing education to the board on a board-approved form.

102.5(1) The information on the form shall include:

- a. Title of continuing education activity;
- b. Date(s);
- c. Sponsor of the activity;
- d. Board-approved sponsor number;
- e. Number of continuing education hours earned; and
- f. Teaching method used.

102.5(2) Audit of continuing education report. After each educational biennium, the board will audit a percentage of the continuing education reports before granting the renewal of licenses to those being audited.

- a. The board will select licensees to be audited.
- b. The licensee shall make available to the board for auditing purposes a certificate of attendance or verification for all reported activities that includes the following information:

- (1) Date, location, course title, schedule (brochure, pamphlet, program, presenter(s)), and method of presentation;

- (2) Number of contact hours for program attended; and

- (3) Certificate of attendance or verification indicating successful completion of the course.

- c. For auditing purposes, the licensee must retain the above information for two years after the biennium has ended.

- d. Submission of a false report of continuing education or failure to meet continuing education requirements may cause the license to lapse and may result in formal disciplinary action.

e. All renewal license applications that are submitted late (after the end of the compliance period) may be subject to audit of continuing education report.

f. Failure to receive the renewal application shall not relieve the licensee of responsibility of meeting continuing education requirements and submitting the renewal fee by the end of the compliance period.

645—102.6(272C) Reinstatement of lapsed license. Failure of the licensee to renew within 30 days after expiration date shall cause the license to lapse. A person who allows the license to lapse shall not engage in practice in Iowa without first complying with all regulations governing reinstatement as outlined in the board rules. A person who allows the license to lapse must apply to the board for reinstatement of the license. Reinstatement of the lapsed license may be granted by the board if the applicant:

1. Submits a written application for reinstatement to the board;
2. Pays all of the renewal fees then due to a maximum of four renewals;
3. Pays the late fee;
4. Pays the reinstatement fee;
5. Pays the examination fee;
6. Provides verification of license(s) from all states in which the licensee has practiced since the Iowa license lapsed;

7. Successfully passes the state law and rules examination with a score of at least 75 percent; and
8. Provides evidence of:

- Satisfactory completion of continuing education requirements during the period since the license lapsed. The total number of continuing education hours required for license reinstatement is computed by multiplying 24 by the number of bienniums since the license lapsed, not to exceed 72 hours; or

- Full-time practice of mortuary science in another state of the United States or the District of Columbia and completion of continuing education substantially equivalent in the opinion of the board to that required under these rules.

645—102.7(272C) Continuing education waiver for active practitioners. A funeral director licensed to practice as a funeral director shall be deemed to have complied with the continuing education requirements of this state during the period that the licensee serves honorably on active duty in the military services or as a government employee outside the United States as a practicing funeral director.

645—102.8(272C) Continuing education exemption for inactive practitioners. A licensee who is not engaged in practice in the state of Iowa may be granted an exemption of continuing education compliance and obtain a certificate of exemption upon written application to the board. The application shall contain a statement that the applicant will not engage in practice in Iowa without first complying with all regulations governing reinstatement after exemption. The application for a certificate of exemption shall be submitted upon forms provided by the board. The licensee shall have completed the required continuing education at the time of reinstatement.

645—102.9(272C) Continuing education exemption for disability or illness. The board may, in individual cases involving disability or illness, grant exemptions of the minimum continuing education requirements or extension of time within which to fulfill the same or make the required reports. No exemption or extension of time shall be granted unless written application therefor is made on forms provided by the board and signed by the licensee and appropriate licensed health care practitioners. The board may grant an exemption of the minimum continuing education requirements for any period of time not to exceed one calendar year from the onset of disability or illness. In the event that the disability or illness upon which an exemption has been granted continues beyond the period of exemption, the licensee must reapply for an extension of the exemption. The board may, as a condition of any exemption granted, require the applicant to make up a certain portion or all of the minimum continuing education requirements exempted by such methods as may be prescribed by the board.

645—102.10(272C) Reinstatement of inactive practitioners. Inactive practitioners who have been granted a waiver of compliance with these rules and obtained a certificate of exemption shall, prior to engaging in the practice of mortuary science in the state of Iowa, satisfy the following requirements for reinstatement:

102.10(1) Submit written application for reinstatement to the board upon forms provided by the board;

102.10(2) Submit payment of the reinstatement fee;

102.10(3) Submit payment of the current renewal fee;

102.10(4) Submit payment of the examination fee;

102.10(5) Furnish verification of license(s) from all states in which the licensee has practiced since the Iowa license lapsed;

102.10(6) Furnish evidence of successful completion of the state law and rules examination with a score of at least 75 percent correct conducted within one year immediately prior to the submission of the application for reinstatement; and

102.10(7) Furnish in the application evidence of one of the following:

a. Full-time practice of mortuary science in another state of the United States or the District of Columbia and completion of continuing education for each biennium of inactive status substantially equivalent in the opinion of the board to that required under these rules; or

b. Completion of 24 hours of board-approved continuing education.

645—102.11(272C) Hearings. In the event of denial, in whole or part, of any application for approval of a continuing education program or credit for continuing education activity, the applicant, licensee or program provider shall have the right within 20 days after the sending of the notification of denial by ordinary mail to request a hearing which shall be held within 90 days after receipt of the request for hearing. The hearing shall be conducted by the board or an administrative law judge designated by the board, in substantial compliance with the hearing procedure set forth in rule 645—11.9(17A).

These rules are intended to implement Iowa Code section 272C.2 and chapter 156.

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